

*Geotechnical Services*  
*Environmental Services*  
*Hydrogeological Services*  
*Materials Testing & Inspection*

RESPONSE ACTIVITY DOCUMENTATION  
SELF-IMPLEMENTING ON-SITE CLEANUP AND DISPOSAL  
OF PCB REMEDIATION WASTE  
AREA OF PROPERTY WITH ELEVATED PCBs IN SOIL  
PEERLESS METAL POWDERS & ABRASIVES  
124 S. MILITARY STREET  
DETROIT, WAYNE COUNTY, MICHIGAN

U.S. ENVIRONMENTAL PROTECTION AGENCY (US EPA)  
77 W. JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60604  
MAIL CODE LU-9J

AND

PEERLESS METAL POWDERS & ABRASIVES  
124 S. MILITARY STREET  
DETROIT, MICHIGAN 48209

McDOWELL & ASSOCIATES  
21355 HATCHER AVENUE  
FERNDALE, MICHIGAN 48220  
Phone: (248) 399-2066  
Fax: (248) 399-2157  
[www.mcdowasc.com](http://www.mcdowasc.com)

DECEMBER 30, 2014

## **McDowell & Associates**

*Geotechnical, Environmental & Hydrogeological Services • Materials Testing & Inspection*

21355 Hatcher Avenue, Ferndale, MI 48220  
Phone: (248) 399-2066 • Fax: (248) 399-2157

December 30, 2014

U.S. Environmental Protection Agency (US EPA)  
77 W. Jackson Boulevard  
Chicago, Illinois 60604  
Mail Code LU-9J

Job No. 13-15111

Attention: Ms. Tamara Ohl

Subject: Response Activity Documentation  
Self-Implementing On-Site Cleanup and Disposal of PCB Remediation Waste  
Area of Property with Elevated PCBs in Soil  
Peerless Metal Powders & Abrasives  
124 S. Military Street  
Detroit, Wayne County, Michigan

Dear Ms. Ohl:

Pursuant to the request of Peerless Metal Powders & Abrasives, McDowell & Associates has completed this Response Activity Documentation for Self-Implementing On-Site Cleanup and Disposal of PCB Remediation Waste for the subject property.

McDowell & Associates submitted a Cleanup Plan, dated September 9, 2013, to the US EPA as notification of the planned activities, in accordance with 40 CFR 761.61(a)(3). The Cleanup Plan was based on the "low-occupancy area" use of the property, with a deed restriction documenting the land use.

Contaminated soil was excavated by EQ Industrial Services (EQ) on May 14, 2014 and disposed at Wayne Disposal, Inc. in Belleville, Michigan. Based on manifests provided by EQ, approximately 64.49 tons of soil were disposed.

Following soil removal, McDowell & Associates collected eight verification soil samples from the excavation. Samples were collected in accordance with 40 CFR 761 Subpart 0. Additional samples were also collected to satisfy MDEQ Sampling Strategies and Statistics Training Materials for Part 201 Cleanup Criteria (S<sup>3</sup>TM).

Confirmatory sample test results indicate the PCB contaminated area has been remediated to levels well below the US EPA approved cleanup objection of 25 ppm for "low-occupancy areas." Seven of eight samples did not show detectable PCBs. One sample showed a detectable PCB concentration of 3 ppm.

### **Mid-Michigan Office**

3730 James Savage Road, Midland, MI 48642  
Phone: (989) 496-3610 • Fax: (989) 496-3190

In accordance with the Cleanup Plan, a Declaration of Restrictive Covenant will be submitted to the Wayne County Register of Deeds documenting the cleanup area of the subject property as a "low occupancy area".

### Background

The subject property is located at 124 W. Military Street in Detroit, Wayne County, Michigan. A Site Location Map, which shows the approximate location of the subject property, accompanies this letter as Attachment I. A legal description of the subject property accompanies this letter as Attachment II. A topographic map is included as Attachment III. Peerless Metal Powders & Abrasives purchased the property under land contract in November 2011.

The former area of the subject property with elevated PCBs is located in an exterior area near a parking lot on the office portion of the subject property. The area is vacant and unused. Use of this area by employees and visitors might include occasional traversing from the parking lot to the building, and would be considered a "low occupancy area" as defined in 40 CFR Part 761 – an area where occupancy for any individual not wearing dermal and respiratory protection for a calendar year is...less than 335 hours (an average of 6.7 hours per week). In addition, the property is fenced to deter unintentional visitors to the property.

McDowell & Associates was provided a copy of a Historical Review and Limited Phase II Site Investigation Report, completed by AKT Peerless Environmental & Energy Services (AKT) on August 26, 2011 and a Supplemental Phase II Environmental Site Assessment (ESA) by AKT dated November 11, 2011.

Based on Sanborn Fire Insurance Maps included in the Historic Review, the subject property was occupied by a coal yard (1910), lumber yard (1923), and junk yard (1950-1978). Rail spurs were located to the north and residences were located to the south. A former gasoline UST was reportedly located northeast of the PCB-remediation area, and was closed in place in 1988.

Sampling and testing was conducted by AKT Peerless in 2011. Soil samples were reportedly placed in laboratory-supplied jars in accordance with the US EPA Publication SW-846, Testing Methods of Evaluating Solid Waste. Samples were analyzed using EPA Method 8082. McDowell & Associates did not complete independent sampling and testing at the subject property prior to November 2013.

Summarized below are soil sampling and PCB concentrations provided in AKT's reports for the subject property.

Sample ID	Date	PCB Concentration (ppm)	Sample ID	Date	PCB Concentration (ppm)
AKT-1 (8-9)	8/2/2011	8.5	TP-3 (8-9)	9/28/2011	<0.33
AKT-1 (10-10.5)	9/28/2011	<0.33	TP-4 (2-3)	9/28/2011	7.7
AKT-4 (2-2.5)	9/19/2011	<0.33	TP-4 (8-9)	9/28/2011	65
AKT-4 (8.5-9)	9/19/2011	1.2	TP-5 (2-3)	9/28/2011	<0.33
TP-2 (2-3)	9/28/2011	1.1	TP-5 (8-9)	9/28/2011	<0.33

Sample ID	Date	PCB Concentration (ppm)	Sample ID	Date	PCB Concentration (ppm)
TP-2 (8-9)	9/28/2011	<0.33	TP-7 (2-3)	9/28/2011	<0.33
TP-3 (2-3)	9/28/2011	2.4	TP-7 (8-9)	9/28/2011	<0.33

On November 22, 2013, McDowell & Associates completed three soil borings in the area for waste characterization testing to obtain landfill approval for disposal of waste.

#### Cleanup Plan

The Cleanup Plan proposed for the area with PCB-contaminated soil was prepared in accordance with 40 CFR 761 and included excavation of PCB contaminated soil and off-site disposal. The Cleanup Plan had been separated into two tasks:

- 1) Remove the soil with PCBs at concentrations exceeding 25 ppm (the cleanup level for bulk PCB remediation waste in low occupancy areas) for disposal at EQ as hazardous waste. Based on information provided by AKT, it was estimated that the area exceeding 50 ppm (at TP-4 – [8' - 9']) was approximately 10' by 10' and 10' deep.

Following removal of that soil, McDowell & Associates will collect verification soil samples in accordance with 40 CFR 761 Subpart O. Soil samples will be submitted to an accredited laboratory for testing to determine the presence of PCBs. If any of the verification soil samples exceed 50 ppm, additional soil will be removed for disposal at EQ and the process repeated until results are below 50 ppm.

- 2) Following removal as described above, a deed restriction will be placed on the property documenting the area of the subject property as a "low occupancy area".

The US EPA responded in a letter dated November 12, 2013, which approved the Cleanup Plan. A copy is attached.

#### Field Work

On May 14, 2014, McDowell & Associates observed Industrial Services (EQ) excavate an approximately 10' x 10' x 10' excavation in the reported area of AKT's TP-4. Soil was placed into lined trucks, transported by S & C Transport, and disposed at Wayne Disposal, Inc. in Belleville, Michigan. Based on manifests provided by EQ, approximately 64.49 tons of soil were disposed. Manifests are attached.

Following soil removal, McDowell & Associates collected eight verification soil samples, designated C-1 through C-8, from the excavation. Samples were collected in accordance with 40 CFR 761 Subpart O. Additional samples were also collected to satisfy MDEQ Sampling

Strategies and Statistics Training Materials for Part 201 Cleanup Criteria (S<sup>3</sup>TM). Samples were collected using a nitrile-gloved hand from soil within the excavated bucket. A Verification Soil Sample Location Map, which shows the approximate locations from which verification soil samples were collected, is attached.

Soil samples were placed in laboratory-provided, pre-cleaned glass jars and stored in an ice chest until delivery to a representative of Trace Analytical Laboratories, Inc. of Muskegon, Michigan for chemical testing. Sample chain-of-custody documentation is included with chemical test results.

#### Chemical Testing Program

Samples were subjected to tests to determine the presence of PCBs (Method 8082).

#### Chemical Test Results

PCBs were not detected in C-1 through C-5, C-7, or C-8.

PCBs were detected in C-6 (the north sidewall), at a concentration of 3.0 mg/kg, which is below the cleanup objective of 16mg/kg.

Chemical test results are attached.

#### Limitations

Nothing in this report constitutes a legal opinion or legal advice. It is suggested that environmental counsel be retained to evaluate site conditions and transaction-related issues from a legal perspective.

Property lines shown on maps are estimates and are limited by scale inaccuracies. The approximate boundaries shown on report attachments are not intended to be exact, but rather approximations to assist with review.

#### Conclusions

McDowell & Associates has completed this Response Activity Documentation for Self-Implementing On-Site Cleanup and Disposal of PCB Remediation Waste for the subject property.

McDowell & Associates submitted a Cleanup Plan, dated September 9, 2013, to the US EPA as notification of the planned activities, in accordance with 40 CFR 761.61(a)(3). The Cleanup Plan was based on the "low-occupancy area" use of the property, with a deed restriction documenting the land use.

Contaminated soil was excavated by EQ Industrial Services (EQ) on May 14, 2014 and disposed at Wayne Disposal, Inc. in Belleville, Michigan. Based on manifests provided by EQ, approximately 64.49 tons of soil were disposed.

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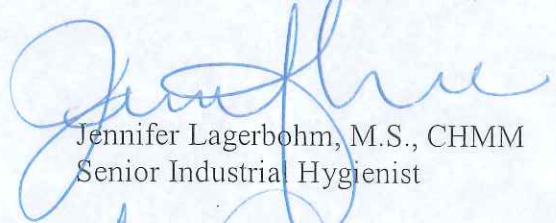
Confirmatory sample test results indicate the PCB contaminated area has been remediated to levels well below the US EPA approved cleanup objection of 25 ppm for "low-occupancy areas." Seven of eight samples did not show detectable PCBs. One sample showed a detectable PCB concentration of 3 ppm.

A Declaration of Restrictive Covenant will be submitted to the Wayne County Register of Deeds documenting the cleanup area of the subject property as a "low occupancy area". A copy is attached.

If you have any questions regarding the information contained in this report, or if we can be of further service, please do not hesitate to call.

Very truly yours,

McDOWELL & ASSOCIATES



Jennifer Lagerbohm, M.S., CHMM  
Senior Industrial Hygienist



Douglas M. McDowell, M.S., P.E.  
Environmental Manager

JL/nm/ks/jb

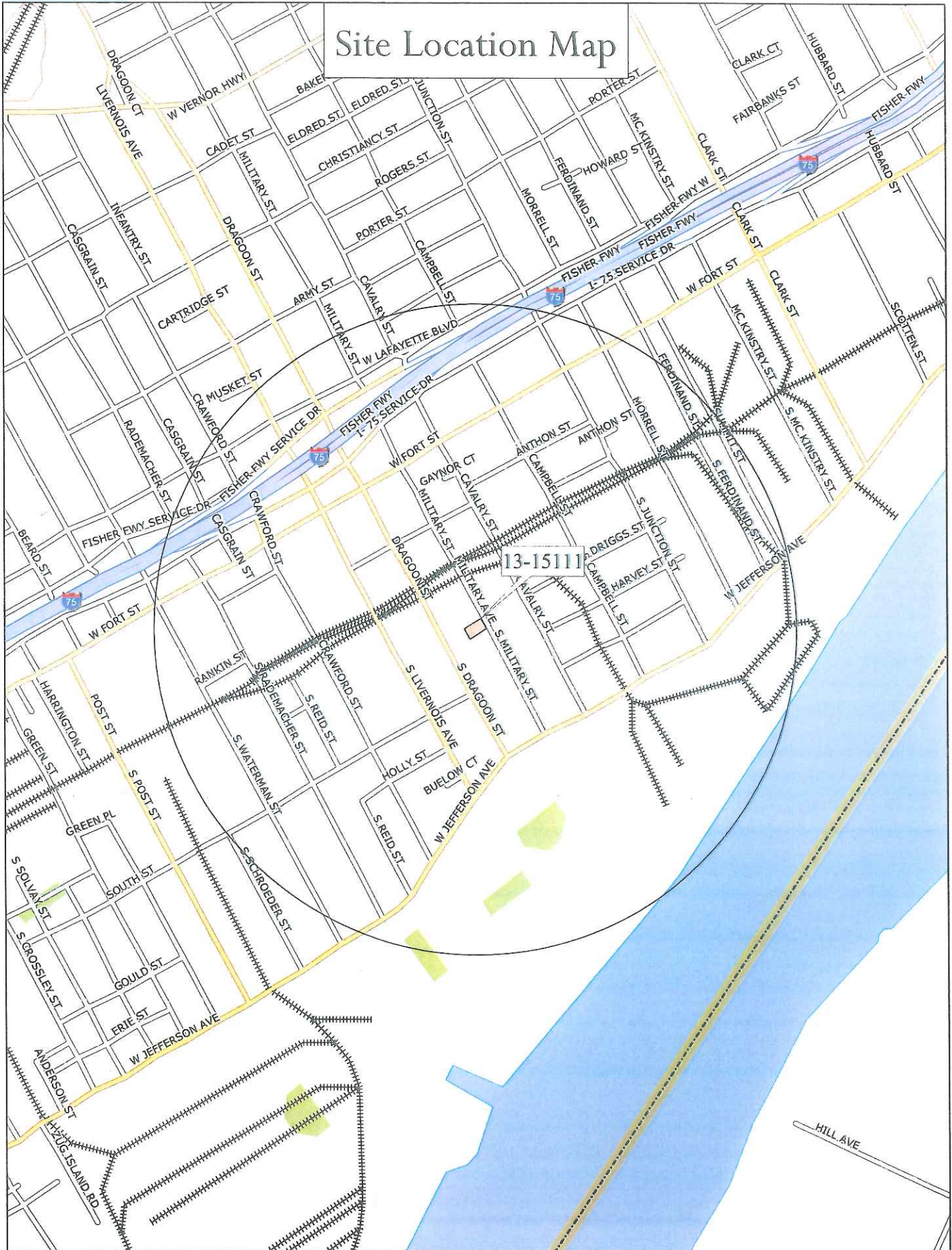
Attachments

- I - Site Location Map
- II - Legal Description
- III - Topographic Map
- IV - Verification Soil Sample Location Map
- V - US EPA Approval Letter, dated November 12, 2013
- VI - Manifests
- VII - Chemical Test Results and Chain-of-Custody Documentation
- VIII - Deed Restriction

**Attachment I**

**Site Location Map**

# Site Location Map



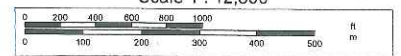
Data use subject to license.

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Scale 1 : 12,800



1" = 1,066.7 ft Data Zoom 14-0

**Attachment II**  
**Legal Description**

## General Property Information

City of Detroit

[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 16016505-6 Unit: CITY OF DETROIT

Flag: SEE ASSESSORS COMMENTS FOR CORRECT REN ZONE INFO

## Property Address

[\[collapse\]](#)124 S MILITARY  
DETROITMI48209

## Owner Information

[\[collapse\]](#)PTDC PROPERTIES LLC  
124 S MILITARY  
DETROIT, MI 48209

Unit: 01

## Taxpayer Information

[\[collapse\]](#)

SEE OWNER INFORMATION

## General Information for Tax Year 2014

[\[collapse\]](#)

<b>Property Class:</b>	301 - 301-INDUSTRIAL	<b>Assessed Value:</b>	\$59,046
<b>School District:</b>	D - DETROIT SCHOOLS	<b>Taxable Value:</b>	\$59,046
<b>State Equalized Value:</b>	\$59,046	<b>Map #</b>	16
<b>DISTRICT</b>	5	<b>Date of Last Name Chg:</b>	10/10/2012

**Date Filed:****Historical District:** N/A**Notes:** N/A**Census Block Group:** N/A**Principal Residence Exemption** June 1st Final

2013 0.0000 % 0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2013	\$59,046	\$59,046	\$58,684
2012	\$0	\$0	\$0
2011	\$0	\$0	\$0

## Land Information

[\[collapse\]](#)

	<b>Frontage</b>	<b>Depth</b>
<b>Lot 1:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 2:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 3:</b>	0.00 Ft.	0.00 Ft.
<b>Total Frontage:</b>	0.00 Ft.	<b>Average Depth:</b> 0.00 Ft.

**Total Acreage:** 0.38**Zoning Code:****Total Estimated Land Value:** \$18,447**Mortgage Code:****Land Improvements:** \$10,005**Lot Dimensions/Comments:** N/A**Renaissance Zone:** 239 (Complies With Zone)

Renaissance Zone Expiration  
Date:

### Legal Information for 16016505-6

[collapse]

W MILITARY S 70 FT 128 AND 127, N 68 FT E 315 FT AND S 30 FT W 138.50 FT 72 ALSO 1/2 OF VACATED ALLEY DANIEL SCOTTEN SUB L9 P19 PLATS, W C R 16/8 (16,848 SQ FT)

### Land Divison Act Information

[collapse]

Date of Last Split/Combine:	10/10/2012	Number of Splits Left:	0
Date Form Filed:		Unallocated Div.s of Parent:	0
Date Created:	10/10/2012	Unallocated Div.s Transferred:	0
Acreage of Parent:	0.00	Rights Were Transferred?	NO
Split Number:	0	Courtesy Split?	NO
		Parent Parcel:	

### Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
<input type="checkbox"/> 11/14/2011	\$1,150,000.00	PTA	NEWMAN, PHYLLIS	PTDC PROPERTIES, LLC	MULTIPLE ECF	

#### Note

MULTIPLE SALE-SEE COMMENTS

### Building Information

2 building(s) found.

Description	Floor Area	Yr Built
<input type="checkbox"/> Commercial/Industrial Building 1 - Office Building	1197 Sq. Ft.	1978

#### General Information

Floor Area:	1197 Sq. Ft.	Estimated TCV:	N/A
Occupancy:	Office Building	Class:	C
Stories Above Ground:	1	Average Story Height:	13
Basement Wall Height:	N/A		
Year Built:	1978	Year Remodeled:	0
Percent Complete:	100%	Heat:	Complete H.V.A.C
Physical Percent Good:	46%	Functional Percent Good:	100%
Economic Percent Good:	100%	Effective Age:	34 yrs.

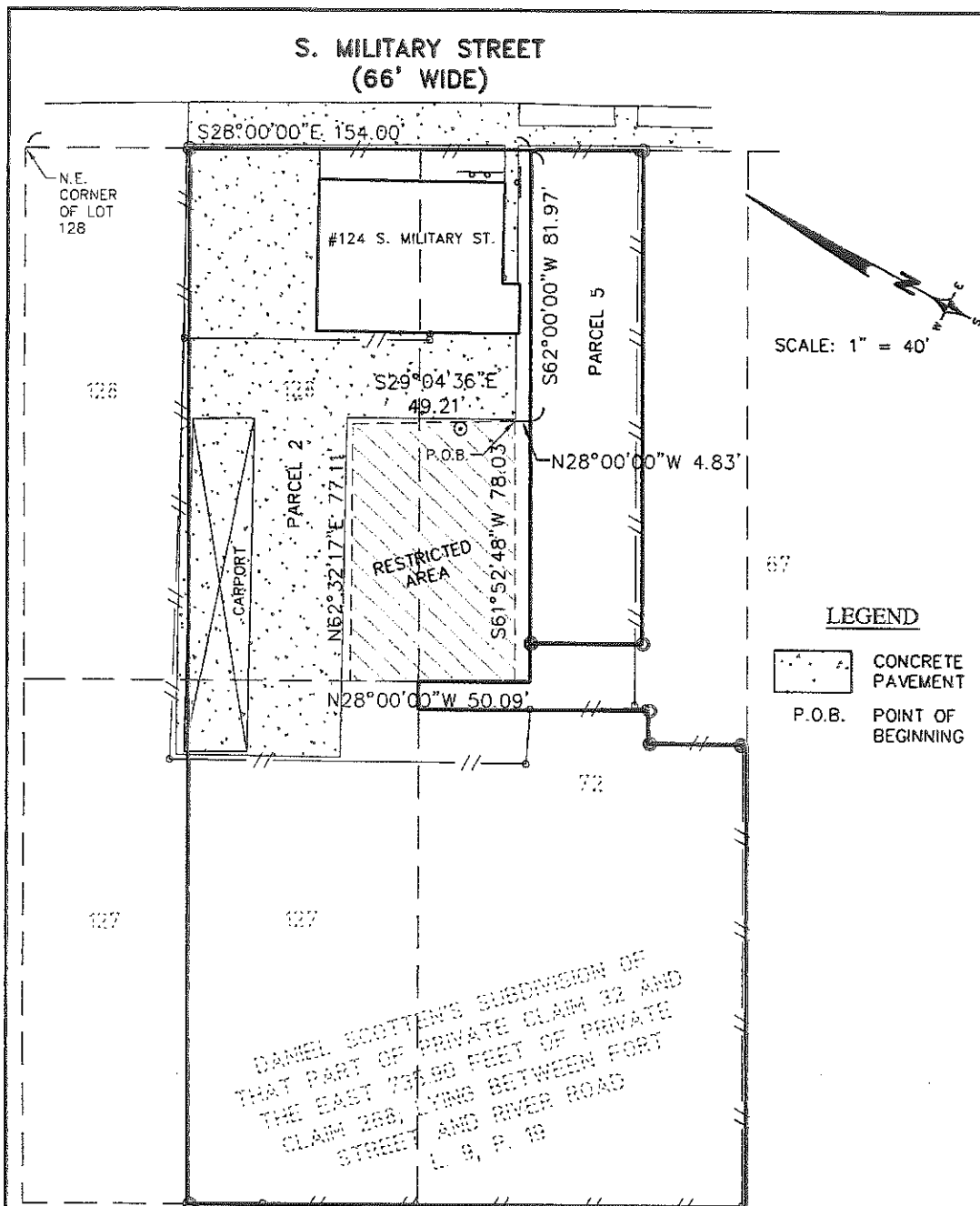
<input type="checkbox"/> Commercial/Industrial Building 2 - Office Building	1503 Sq. Ft.	1988
---	--------------	------

#### General Information

Floor Area:	1503 Sq. Ft.	Estimated TCV:	N/A
Occupancy:	Office Building	Class:	C
Stories Above Ground:	1	Average Story Height:	13
Basement Wall Height:	N/A		
Year Built:	1988	Year Remodeled:	0
Percent Complete:	100%	Heat:	Package Heating & Cooling
Physical Percent Good:	62%	Functional Percent Good:	100%
Economic Percent Good:	100%	Effective Age:	24 yrs.

**\*\*Disclaimer:** BS&A Software provides this Web Site as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

[Privacy Policy](#)



# LEGAL DESCRIPTION OF A RESTRICTED AREA

AN AREA LOCATED IN THE CITY OF DETROIT, WAYNE COUNTY MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

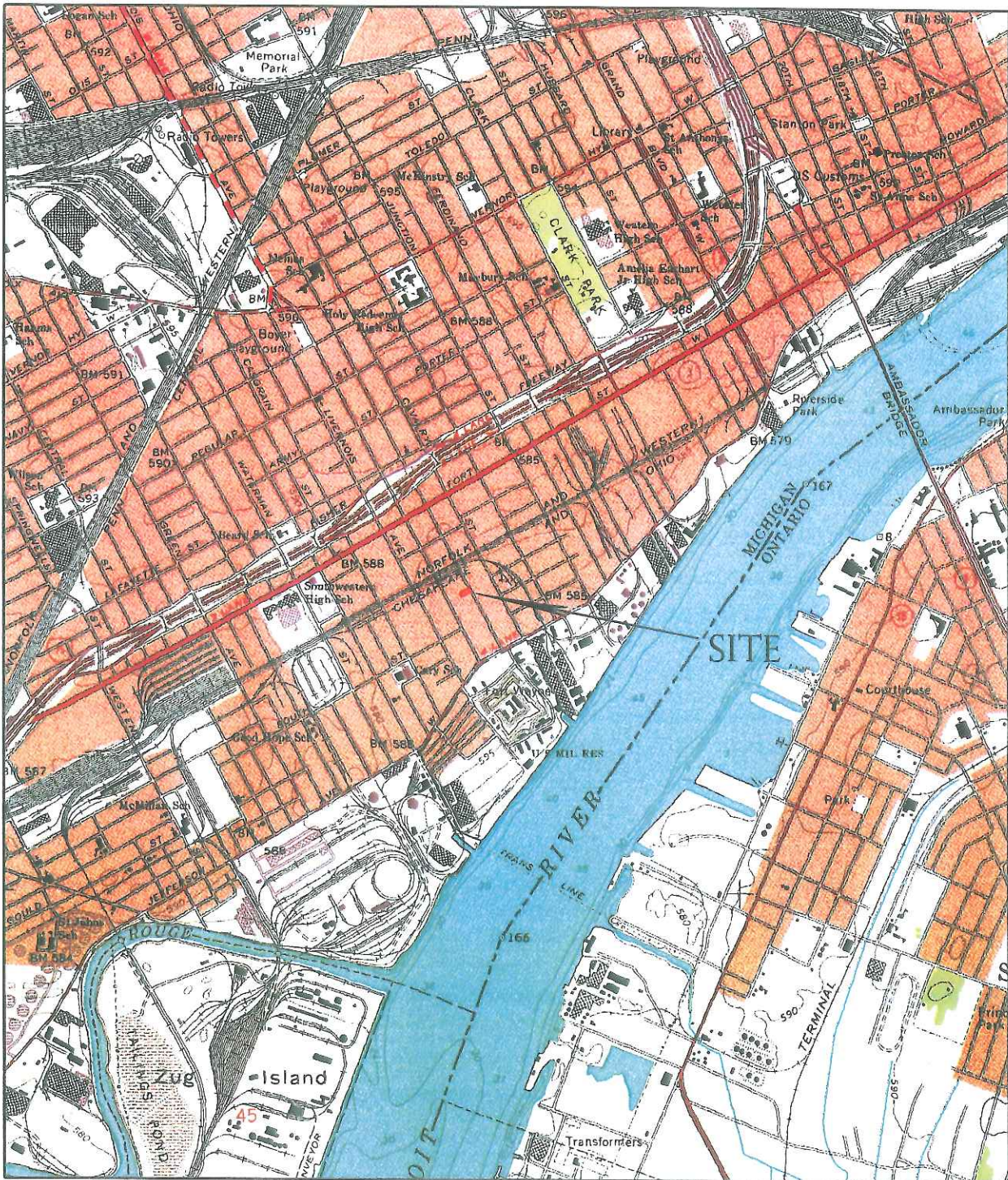
COMMENCING AT THE N.E. CORNER OF LOT 128 OF DANIEL SCOTTEN'S SUBDIVISION OF THAT PART OF PRIVATE CLAIM 32 AND EAST 735.90 FEET OF PRIVATE CLAIM 268; LYING BETWEEN FORT STREET AND RIVER ROAD AS RECORDED IN LIBER 9 OF PLATS, PAGE 19, WAYNE COUNTY RECORDS; THENCE S. 28°00'00" E. 154.00 FEET ALONG THE WEST RIGHT OF WAY LINE OF SOUTH MILITARY STREET (66 FEET WIDE); THENCE S. 62°00'00" W. 81.97 FEET; THENCE N. 28°00'00" W. 4.83 FEET TO THE POINT OF BEGINNING OF SAID RESTRICTED AREA; THENCE S. 61°52'48" W. 78.03 FEET; THENCE N. 28°00'00" W. 50.09 FEET; THENCE N. 62°32'17" E. 77.11 FEET; THENCE S. 29°04'36" E. 49.21 FEET TO THE POINT OF BEGINNING, CONTAINING 3,851 SQUARE FEET.

REVISIONS			RESTRICTED AREA PEERLESS METAL		DATE	SCALE
ITEM	DATE	BY			12-17-14	HOR: 1" = 40'
			DETROIT MICHIGAN			FIELD BOOK NO. 537
			<b>ZEIMET WOZNAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com		DESIGNED BY	JOB NO.
					RH	14159
					DRAWN BY	SHEET NO.
					PTG	1/1

© COPYRIGHT 2014

**Attachment III**  
**Topographic Map**

# 1980 USGS TOPOGRAPHIC MAP



DETROIT QUADRANGLE  
DATED 1968, PHOTOREVISED 1973 AND 1980

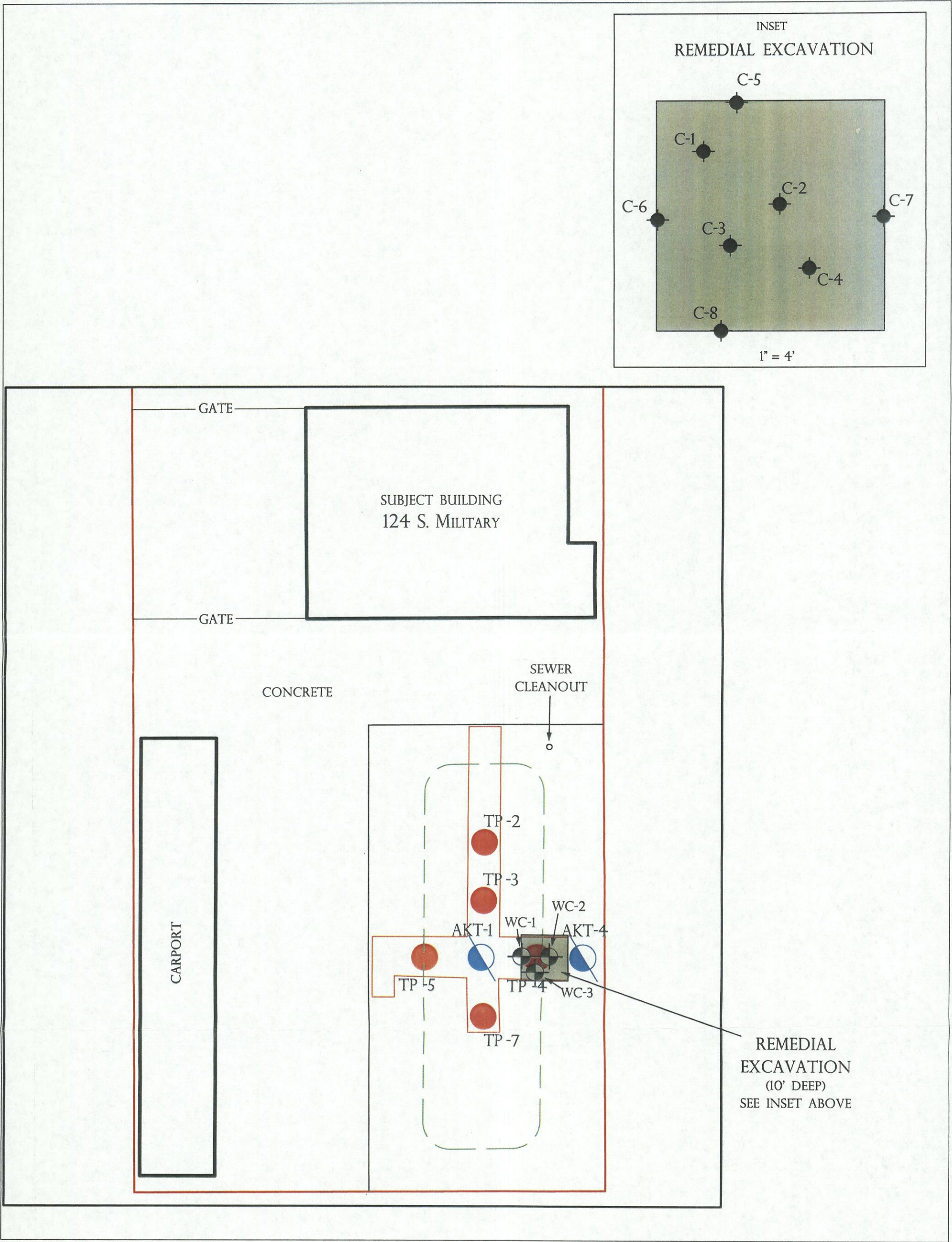
— APPROXIMATE PROPERTY BOUNDARY



**Attachment IV**

**Verification Soil Sample Location Map**

# VERIFICATION SOIL SAMPLE LOCATION MAP



- LEGEND**
- TEST PIT BY AKT
  - ⊗ SOIL BORING BY AKT
  - ⊗ SOIL BORING BY M & A (Nov. 2013)
  - ⊗ VERIFICATION SOIL SAMPLE
  - APPROXIMATE PROPERTY BOUNDARY

**NOTES:**  
ALL LOCATIONS APPROXIMATE



**Attachment V**

**US EPA Approval Letter, dated November 12, 2013**





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590



REPLY TO THE ATTENTION OF:

LU-9J

Via Certified Mail (7009 1680 0000 7671 3603)  
Return Receipt Requested

Ms. Jennifer Lagerbohm  
McDowell & Associates  
21355 Hatcher Avenue  
Ferndale, Michigan 48220

RE: Self-Implementing Polychlorinated Biphenyls (PCB) Cleanup:  
Peerless Metal Powders  
124 S. Military Street  
Detroit, Michigan

Dear Ms. Lagerbohm,

We have completed our review of the September 9, 2013, notification and certification that you intend to conduct a self-implementing cleanup and disposal of PCB remediation waste in accordance with the requirements of 40 CFR 761.61(a). We received this notification on October 17, 2013. Based on our review, your notification is hereby approved, subject to the following conditions:

1. As stated in 40 CFR 761.61(a), you must conduct the cleanup in accordance with all applicable requirements of 40 CFR 761.61(a)(1) through (9). For your reference, the applicable regulations may be found at <http://www.ecfr.gov>. To assist you in completing the cleanup successfully, we have placed an "X" in the margin to identify specific requirements for which your notice is deficient in describing how you plan to comply. Specific comments about each of the deficient areas are noted in bold italics following the regulatory citation.
2. You must prepare a cleanup completion summary report that describes how you conducted the cleanup in accordance with the applicable regulatory requirements, including those marked with an "X" on the enclosure. You must send a copy to me within six months after the date of this letter.
3. If your cleanup activity includes the use of a fence or a cap that must be maintained in perpetuity, or if any portion of the site is cleaned up to the levels appropriate for low



occupancy areas, then you must notify us thirty days prior to any change in ownership of the property. Such notice must include the name, address and telephone number of the new owner, and the name of the new owner's contact person for this matter. You must also submit a letter, signed by the potential purchaser, stating whether it intends to maintain the fence or cap, and whether it plans to maintain the low occupancy land use, or whether it intends to remove and dispose of additional PCB-contaminated soils off-site instead.

Please note that this approval does not relieve you from your duty to comply with all other applicable federal, state, and local requirements. In addition, please note that if you wish to make any changes to your notification (including changes in the project schedule), then you must submit your proposal to Ms. Tamara Ohl, of my staff, in writing at least 14 calendar days prior to the proposed implementation of the change. If you have any questions, please contact her by e-mail at [ohl.tamara@epa.gov](mailto:ohl.tamara@epa.gov) or by telephone at (312) 886-0991.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose G. Cisneros". The signature is fluid and cursive, with the first name "Jose" and last name "Cisneros" clearly distinguishable.

Jose G. Cisneros, Chief  
Remediation and Reuse Branch

cc: Michigan Department of Environmental Quality  
Wayne County Health Department



## ENCLOSURE

### Regulatory Requirements of 40 CFR 761.61(a)

Please note that an "X" in the margin [ ] indicates that the notification and certification of your intention to conduct a self-implementing cleanup does not adequately explain how you intend to comply with the regulatory requirement.

[ ] (1) ***Applicability***

- (i) The self-implementing procedures may not be used to clean up:
  - (A) Surface or ground waters.
  - (B) Sediments in marine and freshwater ecosystems.
  - (C) Sewers or sewage treatment systems.
  - (D) Any private or public drinking water sources or distribution systems.
  - (E) Grazing lands.
  - (F) Vegetable gardens.

- [ ] (ii) The self-implementing cleanup provisions shall not be binding upon cleanups conducted under other authorities, including but not limited to, actions conducted under section 104 or section 106 of CERCLA, or section 3004(u) and (v) or section 3008(h) of RCRA.

- [ ] (2) ***Site characterization.*** Any person conducting self-implementing cleanup of PCB remediation waste must characterize the site adequately to be able to provide the information required by paragraph (a)(3) of this section. Subpart N of this part provides a method for collecting new site characterization data or for assessing the sufficiency of existing site characterization data.

[ ] (3) ***Notification and certification.***

- [ ] (i) At least 30 days prior to the date that the cleanup of a site begins, the person in charge of the cleanup or the owner of the property where the PCB remediation waste is located shall notify, in writing, the EPA Regional Administrator, the Director of the State or Tribal environmental protection agency, and the Director of the county or local environmental protection agency where the cleanup will be conducted. The notice shall include:

- [ ] (A) The nature of the contamination, including kinds of materials contaminated.

- [ ] (B) A summary of the procedures used to sample contaminated and adjacent areas and a table or cleanup site map showing PCB concentrations measured in all pre-cleanup characterization samples. The summary must include sample collection and analysis dates. The EPA Regional Administrator may require more detailed information including, but not limited to, additional characterization sampling or all sample identification numbers from all previous characterization activities at the cleanup site.

- [ X ] (C) The location and extent of the identified contaminated area, including topographic maps with sample collection sites cross referenced to the sample identification numbers in the data summary from paragraph (a)(3)(i)(B) of this section.

***A topographic map was not included in the plan. Please include this map in the cleanup report.***



- [ X ] (D) A cleanup plan for the site, including schedule, disposal technology, and approach. This plan should contain options and contingencies to be used if unanticipated higher concentrations or wider distributions of PCB remediation waste are found or other obstacles force changes in the cleanup approach.
- A schedule for completion of cleanup was not included in the plan, therefore, provide a copy of the cleanup report to EPA within six months after the date of this letter.*
- [ ] (E) A written certification, signed by the owner of the property where the cleanup site is located and the party conducting the cleanup, that all sampling plans, sample collection procedures, sample preparation procedures, extraction procedures, and instrumental/chemical analysis procedures used to assess or characterize the PCB contamination at the cleanup site, are on file at the location designated in the certificate, and are available for EPA inspection. Persons using alternate methods for chemical extraction and chemical analysis for site characterization must include in the certificate a statement that such a method will be used and that a comparison study which meets or exceeds the requirements of subpart Q of this part, and for which records are on file, has been completed prior to verification sampling.
- [ ] (ii) Within 30 calendar days of receiving the notification, the EPA Regional Administrator will respond in writing approving of the self-implementing cleanup, disapproving of the self-implementing cleanup, or requiring additional information. If the EPA Regional Administrator does not respond within 30 calendar days of receiving the notice, the person submitting the notification may assume that it is complete and acceptable and proceed with the cleanup according to the information the person provided to the EPA Regional Administrator. Once cleanup is underway, the person conducting the cleanup must provide any proposed changes from the notification to the EPA Regional Administrator in writing no less than 14 calendar days prior to the proposed implementation of the change. The EPA Regional Administrator will determine in his or her discretion whether to accept the change, and will respond to the change notification verbally within 7 calendar days and in writing within 14 calendar days of receiving it. If the EPA Regional Administrator does not respond verbally within 7 calendar days and in writing within 14 calendar days of receiving the change notice, the person who submitted it may deem it complete and acceptable and proceed with the cleanup according to the information in the change notice provided to the EPA Regional Administrator.
- [ ] (iii) Any person conducting a cleanup activity may obtain a waiver of the 30-day notification requirement, if they receive a separate waiver, in writing, from each of the agencies they are required to notify under this section. The person must retain the original written waiver as required in paragraph (a)(9) of this section.
- [ ] (4) **Cleanup levels.** For purposes of cleaning, decontaminating, or removing PCB remediation waste under this section, there are four general waste categories: bulk PCB remediation waste, non-porous surfaces, porous surfaces, and liquids. Cleanup levels are based on the kind of material and the potential exposure to PCBs left after cleanup is completed.



- [ ] (i) *Bulk PCB remediation waste.* Bulk PCB remediation waste includes, but is not limited to, the following non-liquid PCB remediation waste: soil, sediments, dredged materials, muds, PCB sewage sludge, and industrial sludge.
- [ ] (A) *High occupancy areas.* The cleanup level for bulk PCB remediation waste in high occupancy areas is  $\leq 1$  ppm without further conditions. High occupancy areas where bulk PCB remediation waste remains at concentrations  $> 1$  ppm and  $\leq 10$  ppm shall be covered with a cap meeting the requirements of paragraphs (a)(7) and (a)(8) of this section.
- [ ] (B) *Low occupancy areas.*
  - [ ] ( 1 ) The cleanup level for bulk PCB remediation waste in low occupancy areas is  $\leq 25$  ppm unless otherwise specified in this paragraph.
  - [ ] ( 2 ) Bulk PCB remediation wastes may remain at a cleanup site at concentrations  $> 25$  ppm and  $\leq 50$  ppm if the site is secured by a fence and marked with a sign including the  $M_L$  mark.
  - [ ] ( 3 ) Bulk PCB remediation wastes may remain at a cleanup site at concentrations  $> 25$  ppm and  $\leq 100$  ppm if the site is covered with a cap meeting the requirements of paragraphs (a)(7) and (a)(8) of this section.
- [ ] (ii) *Non-porous surfaces.* In high occupancy areas, the surface PCB cleanup standard is  $\leq 10$   $\mu\text{g}/100\text{ cm}^2$  of surface area. In low occupancy areas, the surface cleanup standard is  $< 100$   $\mu\text{g}/100\text{ cm}^2$  of surface area. Select sampling locations in accordance with subpart P of this part or a sampling plan approved under paragraph (c) of this section.
- [ ] (iii) *Porous surfaces.* In both high and low occupancy areas, any person disposing of porous surfaces must do so based on the levels in paragraph (a)(4)(i) of this section. Porous surfaces may be cleaned up for use in accordance with §761.79(b)(4) or §761.30(p).
- [ ] (iv) *Liquids.* In both high and low occupancy areas, cleanup levels are the concentrations specified in §761.79(b)(1) and (b)(2).
- [ ] (v) *Change in the land use for a cleanup site.* Where there is an actual or proposed change in use of an area cleaned up to the levels of a low occupancy area, and the exposure of people or animal life in or at that area could reasonably be expected to increase, resulting in a change in status from a low occupancy area to a high occupancy area, the owner of the area shall clean up the area in accordance with the high occupancy area cleanup levels in paragraphs (a)(4)(i) through (a)(4)(iv) of this section.
- [ ] (vi) The EPA Regional Administrator, as part of his or her response to a notification submitted in accordance with §761.61(a)(3) of this part, may require cleanup of the site, or portions of it, to more stringent cleanup levels than are otherwise required in this section, based on the proximity to areas such as residential dwellings, hospitals, schools, nursing homes, playgrounds, parks, day care centers, endangered species habitats, estuaries, wetlands, national parks, national wildlife refuges, commercial fisheries, and sport fisheries.



- [ X ] (5) *Site cleanup.* In addition to the options set out in this paragraph, PCB disposal technologies approved under §§761.60 and 761.70 are acceptable for on-site self-implementing PCB remediation waste disposal within the confines of the operating conditions of the respective approvals.

***The plan references disposal at EQ as hazardous waste. Ensure the cleanup report includes a reference to the specific facility used for disposal.***

- [ ] (i) *Bulk PCB remediation waste.* Any person cleaning up bulk PCB remediation waste shall do so to the levels in paragraph (a)(4)(i) of this section.

- [ ] (A) Any person cleaning up bulk PCB remediation waste on-site using a soil washing process may do so without EPA approval, subject to all of the following:

- (1) A non-chlorinated solvent is used.
- (2) The process occurs at ambient temperature.
- (3) The process is not exothermic.
- (4) The process uses no external heat.
- (5) The process has secondary containment to prevent any solvent from being released to the underlying or surrounding soils or surface waters.
- (6) Solvent disposal, recovery, and/or reuse is in accordance with relevant provisions of approvals issued according to paragraphs (b)(1) or (c) of this section or applicable paragraphs of §761.79.

- [ ] (B) Bulk PCB remediation waste may be sent off-site for decontamination or disposal in accordance with this paragraph, provided the waste is either dewatered on-site or transported off-site in containers meeting the requirements of the DOT Hazardous Materials Regulations (HMR) at 49 CFR parts 171 through 180.

- [ ] (1) Removed water shall be disposed of according to paragraph (b)(1) of this section.

- [ ] (2) Any person disposing off-site of dewatered bulk PCB remediation waste shall do so as follows:

- ( i ) Unless sampled and analyzed for disposal according to the procedures set out in §§761.283, 761.286, and 761.292, the bulk PCB remediation waste shall be assumed to contain  $\geq 50$  ppm PCBs.
- ( ii ) Bulk PCB remediation wastes with a PCB concentration of  $< 50$  ppm shall be disposed of in accordance with paragraph (a)(5)(v)(A) of this section.
- ( iii ) Bulk PCB remediation wastes with a PCB concentration  $\geq 50$  ppm shall be disposed of in a hazardous waste landfill permitted by EPA under section 3004 of RCRA, or by a State authorized under section 3006 of RCRA, or a PCB disposal facility approved under this part.
- ( iv ) The generator must provide written notice, including the quantity to be shipped and highest concentration of PCBs (using extraction EPA Method 3500B/3540C or Method 3500B/3550B followed by chemical analysis using EPA Method 8082 in SW-846 or methods validated under subpart Q of this part) at least 15 days before the first shipment of bulk PCB remediation waste from each cleanup site by the generator, to each off-site facility where the waste is destined for an area not subject to a TSCA PCB Disposal Approval.



- [ ] (3) Any person may decontaminate bulk PCB remediation waste in accordance with §761.79 and return the waste to the cleanup site for disposal as long as the cleanup standards of paragraph (a)(4) of this section are met.
- [ ] (ii) Non-porous surfaces. PCB remediation waste non-porous surfaces shall be cleaned on-site or off-site for disposal on-site, disposal off-site, or use, as follows:
  - [ ] (A) For on-site disposal, non-porous surfaces shall be cleaned on-site or off-site to the levels in paragraph (a)(4)(ii) of this section using:
    - (1) Procedures approved under §761.79.
    - (2) Technologies approved under §761.60(e).
    - (3) Procedures or technologies approved under paragraph (c) of this section.
  - [ ] (B) For off-site disposal, non-porous surfaces:
    - (1) Having surface concentrations  $<100 \mu\text{g}/100 \text{ cm}^2$  shall be disposed of in accordance with paragraph (a)(5)(i)(B)(2)(ii) of this section. Metal surfaces may be thermally decontaminated in accordance with §761.79(c)(6)(i).
    - (2) Having surface concentrations  $\geq 100 \mu\text{g}/100 \text{ cm}^2$  shall be disposed of in accordance with paragraph (a)(5)(i)(B)(2)(iii) of this section. Metal surfaces may be thermally decontaminated in accordance with §761.79(c)(6)(ii).
  - [ ] (C) For use, non-porous surfaces shall be decontaminated on-site or off-site to the standards specified in §761.79(b)(3) or in accordance with §761.79(c).
- [ ] (iii) *Porous surfaces*. Porous surfaces shall be disposed on-site or off-site as bulk PCB remediation waste according to paragraph (a)(5)(i) of this section or decontaminated for use according to §761.79(b)(4), as applicable.
- [ ] (iv) *Liquids*. Any person disposing of liquid PCB remediation waste shall either:
  - (A) Decontaminate the waste to the levels specified in §761.79(b)(1) or (b)(2).
  - (B) Dispose of the waste in accordance with paragraph (b) of this section or an approval issued under paragraph (c) of this section.
- [ ] (v) *Cleanup wastes*. Any person generating the following wastes during and from the cleanup of PCB remediation waste shall dispose of or reuse them using one of the following methods:
  - [ ] (A) Non-liquid cleaning materials and personal protective equipment waste at any concentration, including non-porous surfaces and other non-liquid materials such as rags, gloves, booties, other disposable personal protective equipment, and similar materials resulting from cleanup activities shall be either decontaminated in accordance with §761.79(b) or (c), or disposed of in one of the following facilities, without regard to the requirements of subparts J and K of this part:
    - (1) A facility permitted, licensed, or registered by a State to manage municipal solid waste subject to part 258 of this chapter.
    - (2) A facility permitted, licensed, or registered by a State to manage non-municipal non-hazardous waste subject to §§257.5 through 257.30 of this chapter, as applicable.



( 3 ) A hazardous waste landfill permitted by EPA under section 3004 of RCRA, or by a State authorized under section 3006 of RCRA.

( 4 ) A PCB disposal facility approved under this part.

[ ] (B) Cleaning solvents, abrasives, and equipment may be reused after decontamination in accordance with §761.79.

[ ] (6) **Cleanup verification** —

[X] (i) *Sampling and analysis.* Any person collecting and analyzing samples to verify the cleanup and on-site disposal of bulk PCB remediation wastes and porous surfaces must do so in accordance with subpart O of this part. Any person collecting and analyzing samples from non-porous surfaces must do so in accordance with subpart P of this part. Any person collecting and analyzing samples from liquids must do so in accordance with §761.269. Any person conducting interim sampling during PCB remediation waste cleanup to determine when to sample to verify that cleanup is complete, may use PCB field screening tests.

*The Plan references completing verification sampling in accordance with subpart O, however does not describe the sampling. Ensure that verification sampling is completed in accordance with this subpart and documented in the report.*

[ ] (ii) *Verification.*

(A) Where sample analysis results in a measurement of PCBs less than or equal to the levels specified in paragraph (a)(4) of this section, self-implementing cleanup is complete.

(B) Where sample analysis results in a measurement of PCBs greater than the levels specified in paragraph (a)(4) of this section, self-implementing cleanup of the sampled PCB remediation waste is not complete. The owner or operator of the site must either dispose of the sampled PCB remediation waste, or reclean the waste represented by the sample and reinitiate sampling and analysis in accordance with paragraph (a)(6)(i) of this section.

[ ] (7) **Cap requirements.** A cap means, when referring to on-site cleanup and disposal of PCB remediation waste, a uniform placement of concrete, asphalt, or similar material of minimum thickness spread over the area where remediation waste was removed or left in place in order to prevent or minimize human exposure, infiltration of water, and erosion. Any person designing and constructing a cap must do so in accordance with §264.310(a) of this chapter, and ensure that it complies with the permeability, sieve, liquid limit, and plasticity index parameters in §761.75(b)(1)(ii) through (b)(1)(v). A cap of compacted soil shall have a minimum thickness of 25 cm (10 inches). A concrete or asphalt cap shall have a minimum thickness of 15 cm (6 inches). A cap must be of sufficient strength to maintain its effectiveness and integrity during the use of the cap surface which is exposed to the environment. A cap shall not be contaminated at a level  $\geq 1$  ppm PCB per Aroclor (or equivalent) or per congener. Repairs shall begin within 72 hours of discovery for any breaches which would impair the integrity of the cap.



- [ ] (8) *Deed restrictions for caps, fences and low occupancy areas.* When a cleanup activity conducted under this section includes the use of a fence or a cap, the owner of the site must maintain the fence or cap, in perpetuity. In addition, whenever a cap, or the procedures and requirements for a low occupancy area, is used, the owner of the site must meet the following conditions:
- [ ] (i) Within 60 days of completion of a cleanup activity under this section, the owner of the property shall:
- [ ] (A) Record, in accordance with State law, a notation on the deed to the property, or on some other instrument which is normally examined during a title search, that will in perpetuity notify any potential purchaser of the property:
- (1) That the land has been used for PCB remediation waste disposal and is restricted to use as a low occupancy area as defined in §761.3.
- (2) Of the existence of the fence or cap and the requirement to maintain the fence or cap.
- (3) The applicable cleanup levels left at the site, inside the fence, and/or under the cap.
- [ ] (B) Submit a certification, signed by the owner, that he/she has recorded the notation specified in paragraph (a)(8)(i)(A) of this section to the EPA Regional Administrator.
- [ ] (ii) The owner of a site being cleaned up under this section may remove a fence or cap after conducting additional cleanup activities and achieving cleanup levels, specified in paragraph (a)(4) of this section, which do not require a cap or fence. The owner may remove the notice on the deed no earlier than 30 days after achieving the cleanup levels specified in this section which do not require a fence or cap.
- [ ] (9) *Recordkeeping.* For paragraphs (a)(3), (a)(4), and (a)(5) of this section, recordkeeping is required in accordance with §761.125(c)(5).



**Attachment VI**

**Manifests**



SFC 935

Form Approved. OMB No. 2050-0039

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number <b>MIG 000 031 358</b>	2. Page 1 of <b>1</b>	3. Emergency Response Phone <b>734 968 9101</b>	4. Manifest Tracking Number <b>013193510 JJK</b>		
5. Generator's Name and Mailing Address <b>PEERLESS METAL POWDERS 124 S MILITARY ST. DETROIT, MI 48209</b>		Generator's Site Address (if different than mailing address) <b>124 S MILITARY ST. DETROIT, MI 48209</b>					
6. Generator's Phone: <b>(800) 592-5489</b>		8. Designated Facility Name and Site Address <b>WAYNE DISPOSAL, INC. SITE #2 LANDFILL 49350 N I-94 SERVICE DRIVE BELLEVILLE, MI 48111</b>			U.S. EPA ID Number <b>MID 048 090 633</b>		
7. Transporter 1 Company Name <b>EQ INDUSTRIAL SERVICES</b>		U.S. EPA ID Number <b>MIO 000 283 871</b>			7. Transporter 2 Company Name <b>SFC TRANSPORT</b>		
U.S. EPA ID Number <b>M:K 126399684</b>		U.S. EPA ID Number <b>MID 048 090 633</b>					
9a. HM	9b. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers No. Type		11. Total Quantity	12. Unit WL/Vol.	13. Waste Codes
X 1.	UN3432, Polychlorinated biphenyls, solid, 9, PGII, ERG #171		1 DT		43,500	KG	PCB1
2.							
3.							
4.							
14. Special Handling Instructions and Additional Information 1. L137247WD1 / PCB SOILS Storage Start Date: 5-14-14 Unique Container ID: 051414-1							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator/Officer's Printed/Typed Name <b>David J Carter</b>		Signature <i>[Signature]</i>		Month <b>5</b>		Day <b>14</b>	
16. International Shipments <input type="checkbox"/> Import to U.S.		<input type="checkbox"/> Export from U.S.		Port of entry/exit: Date leaving U.S.:		Year <b>14</b>	
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name <b>Boyer Landers</b>		Signature <i>[Signature]</i>		Month <b>5</b>		Day <b>14</b>	
Transporter 2 Printed/Typed Name		Signature		Month		Day	
				Year <b>14</b>			
18. Discrepancy							
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection							
18b. Alternate Facility (or Generator)				Manifest Reference Number:			
Facility's Phone:				U.S. EPA ID Number			
18c. Signature of Alternate Facility (or Generator)				Month Day Year			
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. PCB		2.		3.		4.	
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a							
Printed/Typed Name <b>Zach Lister</b>		Signature <i>[Signature]</i>		Month <b>5</b>		Day <b>14</b>	
				Year <b>14</b>			



67040 SFC 135/142

Form Approved. OMB No. 2050-0039

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number <b>MIG 000 031 358</b>	2. Page 1 of <b>1</b>	3. Emergency Response Phone <b>734 968 9101</b>	4. Manifest Tracking Number <b>013193511 JJK</b>	
5. Generator's Name and Mailing Address <b>PEERLESS METAL POWDERS 124 S MILITARY ST. DETROIT, MI 48209</b>		Generator's Site Address (if different than mailing address) <b>124 S MILITARY ST. DETROIT, MI 48209</b>				
6. Generator's Phone: 6. Transporter 1 Company Name <b>EQ INDUSTRIAL SERVICES</b>		U.S. EPA ID Number <b>MIO 000 283 871</b>				
7. Transporter 2 Company Name <b>SFC TRANSPORT</b>		U.S. EPA ID Number <b>MIK 126399 684</b>				
8. Designated Facility Name and Site Address <b>WAYNE DISPOSAL, INC. SITE #2 LANDFILL 49350 N I-94 SERVICE DRIVE BELLEVILLE, MI 48111 (800) 592-5489</b>		U.S. EPA ID Number <b>MID 048 090 833</b>				
Facility's Phone:						
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type		11. Total Quantity	12. Unit Wt./Vol.
		1. <b>UN3432, Polychlorinated biphenyls, solid, 9, PGII, ERG #171</b>	<b>1 DT</b>		<b>15,000 K</b>	<b>PCBT</b>
		2.				
		3.				
		4.				
14. Special Handling Instructions and Additional Information <b>1. L137247WDI / PCB SOILS Storage Start Date: 5-14-14 Unique Container ID: 051414-2</b>						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.						
Generator's/Offeror's Printed/Typed Name <b>David J Carter</b>		Signature <i>[Signature]</i>		Month Day Year <b>5 14 14</b>		
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: Date leaving U.S.:			
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials		Signature		Month Day Year	
	Transporter 1 Printed/Typed Name <b>Roger Landers</b>		<i>[Signature]</i>		<b>5 14 14</b>	
DESIGNATED FACILITY	Transporter 2 Printed/Typed Name		Signature		Month Day Year	
	18. Discrepancy					
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
	Manifest Reference Number:					
18b. Alternate Facility (or Generator)		U.S. EPA ID Number				
Facility's Phone:						
18c. Signature of Alternate Facility (or Generator)		Month Day Year				
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1. <b>PCB</b>		2.		3.		4.
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name <b>Zach L...</b>		Signature <i>[Signature]</i>		Month Day Year <b>5 14 14</b>		



Approval: L137247WDI  
 Receipt Status: All  
 Trans Mode (Inbound/Outbound): Both  
 Bulk Mode (Bulk/Non-Bulk): Both

# Receipt List

Wayne Disposal, Inc.  
 0 Wayne Disposal, Inc.

Receipt ID	Manifest/BOL / Commingled	Customer		Generator	Waste Stream	Approval / Product TSDF Approval	Waste Code	Bill Unit	Qty	Rec.Status	Fpr. Status / Outbound	Rec. Date
1238370-1	013193510JJK	99999	EQIS MRD	MIG000031358	PEERLESS METAL POWDE	L137247WDI	PCB1	TONS	48.20	Accepted	Accepted	5/14/2014
1238370-2	013193510JJK	99999	EQIS MRD	MIG000031358	PEERLESS METAL POWDE	L137247WDI		TONS	48.20	Accepted	Accepted	5/14/2014
1238402-1	013193511JJK	99999	EQIS MRD	MIG000031358	PEERLESS METAL POWDE	L137247WDI	PCB1	TONS	16.29	Accepted	Accepted	5/14/2014
1238402-2	013193511JJK	99999	EQIS MRD	MIG000031358	PEERLESS METAL POWDE	L137247WDI		TONS	16.29	Accepted	Accepted	5/14/2014
Total quantity for bill unit TONS:									128.98			



**Attachment VII**

**Chemical Test Results and Chain-of-Custody Documentation**





phone 231.773.5998  
toll-free 800.733.5998  
fax 231.773.6537

Trace Analytical Laboratories, Inc.  
2241 Black Creek Road  
Muskegon, MI 49444-2673  
info@trace-labs.com  
www.trace-labs.com

May 15, 2014

Ms. Jennifer Lagerbohm  
McDowell & Associates  
21355 Hatcher Ave.  
Ferndale, MI 48220

Phone: (248) 399-2066

Fax: (248) 399-2157

RE: Trace Project T14E233  
Client Project 13-15111

Dear Ms. Lagerbohm:

Enclosed are your analytical results. The results of this report relate only to the samples listed in the body of this report.

All reports were examined through Trace's validation process to ensure that requirements for quality and completeness were satisfied. All reported analytical results were obtained in accordance with the methods referenced on the reports. Every practical effort was made to meet the reporting limit specifications for this work, however, some results may have raised reporting limits to correct for percent solids.

For clients that require NELAC Accreditation, Trace certifies that these test results meet all requirements of the NELAC Standard, except for those analytes with a "N" notation. These analytes have not been evaluated by NELAC at Trace's discretion and will not be reported unless requested by client.

If you have questions concerning this report, please contact me at 231.773.5998 or by email at [jmink@trace-labs.com](mailto:jmink@trace-labs.com).

Sincerely,

Jon Mink  
Senior Project Manager  
Enclosures



NJDEP Accreditation No. MI008 PADEP Accreditation No. 68-04471

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Trace Analytical Laboratories, Inc.  
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Muskegon, MI 49444-2673  
info@trace-labs.com  
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### SAMPLE SUMMARY

Trace Project ID: T14E233  
Client Project ID: 13-15111

Trace ID	Sample ID	Matrix	Collected By	Date Collected	Date Received
T14E233-01	C-1	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-02	C-2	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-03	C-3	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-04	C-4	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-05	C-5	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-06	C-5D	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-07	C-6	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-08	C-7	Soil	jl	05/14/14 13:00	05/14/14 13:35
T14E233-09	C-8	Soil	jl	05/14/14 13:30	05/14/14 13:35

### CERTIFICATE OF ANALYSIS

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## AN EXPLANATION OF TERMS AND SYMBOLS WHICH MAY OCCUR IN THIS REPORT

### DEFINITIONS

LCS	Laboratory Control Sample
LCSD	Laboratory Control Sample Duplicate
MS	Matrix Spike
MSD	Matrix Spike Duplicate
RPD	Relative Percent Difference
DUP	Matrix Duplicate
RDL	Reporting Detection Limit
MCL	Maximum Contamination Limit
TIC	Tentatively Identified Compound
<, ND or U	Indicates the compound was analyzed for but not detected
*	Indicates a result that exceeds its associated MCL or Surrogate control limits
N	Indicates that the compound has not been evaluated by NELAC
NA	Indicates that the compound is not available.

NOTE: Samples for volatiles that have been extracted with a water miscible solvent were corrected for the total volume of the solvent/water mixture.

### DATA QUALIFIERS

Trace ID: T14E233-07

#### Analysis: EPA 8082

<b>Aroclor-1016</b>	Note 413 : The reporting limit was raised due to a dilution because of high analyte concentrations.
<b>Aroclor-1221</b>	Note 413 : The reporting limit was raised due to a dilution because of high analyte concentrations.
<b>Aroclor-1232</b>	Note 413 : The reporting limit was raised due to a dilution because of high analyte concentrations.
<b>Aroclor-1242</b>	Note 413 : The reporting limit was raised due to a dilution because of high analyte concentrations.
<b>Aroclor-1248</b>	Note 413 : The reporting limit was raised due to a dilution because of high analyte concentrations.
<b>Aroclor-1260</b>	Note 413 : The reporting limit was raised due to a dilution because of high analyte concentrations.

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www.trace-labs.com

## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-01

Date Collected: 05/14/14 13:00

Matrix: Soil

Sample ID: C-1

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS	UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
------------	---------	-------	-----	----------	----------	----	----------	----	-------	-----

### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1221	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1232	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1242	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1248	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1254	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1260	<330 ug/kg dry		330	1	05/15/14	kb	05/15/14	tml		
<b>Surrogates:</b>										
Tetrachloro-m-xylene	80 %		40-113	1	05/15/14	kb	05/15/14	tml	N	
Decachlorobiphenyl	79 %		32-111	1	05/15/14	kb	05/15/14	tml	N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	82 % by Wt.		0.10	1	05/15/14	sv	05/15/14	sv	N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-02

Date Collected: 05/14/14 13:00

Matrix: Soil

Sample ID: C-2

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		

#### Surrogates:

Tetrachloro-m-xylene	50 %	40-113	1	05/15/14	kb	05/15/14	tml	N	
Decachlorobiphenyl	48 %	32-111	1	05/15/14	kb	05/15/14	tml	N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	83 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv	N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-03

Date Collected: 05/14/14 13:00

Matrix: Soil

Sample ID: C-3

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		

#### Surrogates:

Tetrachloro-m-xylene	63 %	40-113	1	05/15/14	kb	05/15/14	tml	N	
Decachlorobiphenyl	70 %	32-111	1	05/15/14	kb	05/15/14	tml	N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	81 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv	N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-04

Date Collected: 05/14/14 13:00

Matrix: Soil

Sample ID: C-4

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS	UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
<b>Surrogates:</b>										
Tetrachloro-m-xylene	57 %	40-113	1	05/15/14	kb	05/15/14	tml		N	
Decachlorobiphenyl	50 %	32-111	1	05/15/14	kb	05/15/14	tml		N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	78 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv		N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233  
Client Project ID: 13-15111

Trace ID: T14E233-05	Date Collected: 05/14/14 13:00	Matrix: Soil
Sample ID: C-5	Date Received: 05/14/14 13:35	

PARAMETERS	RESULTS UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
<b>Surrogates:</b>									
Tetrachloro-m-xylene	61 %	40-113	1	05/15/14	kb	05/15/14	tml	N	
Decachlorobiphenyl	62 %	32-111	1	05/15/14	kb	05/15/14	tml	N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	84 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv	N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-06

Date Collected: 05/14/14 13:00

Matrix: Soil

Sample ID: C-5D

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS	UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml			

#### Surrogates:

Tetrachloro-m-xylene	49 %	40-113	1	05/15/14	kb	05/15/14	tml		N	
Decachlorobiphenyl	63 %	32-111	1	05/15/14	kb	05/15/14	tml		N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	85 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv		N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233  
Client Project ID: 13-15111

Trace ID: T14E233-07 Date Collected: 05/14/14 13:00 Matrix: Soil  
Sample ID: C-6 Date Received: 05/14/14 13:35

PARAMETERS	RESULTS UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<400 ug/kg dry	400	5	05/15/14	kb	05/15/14	tml	413
Aroclor-1221	<400 ug/kg dry	400	5	05/15/14	kb	05/15/14	tml	413
Aroclor-1232	<400 ug/kg dry	400	5	05/15/14	kb	05/15/14	tml	413
Aroclor-1242	<400 ug/kg dry	400	5	05/15/14	kb	05/15/14	tml	413
Aroclor-1248	<400 ug/kg dry	400	5	05/15/14	kb	05/15/14	tml	413
<b>Aroclor-1254</b>	<b>3000 ug/kg dry</b>	<b>400</b>	<b>5</b>	<b>05/15/14</b>	<b>kb</b>	<b>05/15/14</b>	<b>tml</b>	
Aroclor-1260	<400 ug/kg dry	400	5	05/15/14	kb	05/15/14	tml	413

#### Surrogates:

Tetrachloro-m-xylene	72 %	40-113	5	05/15/14	kb	05/15/14	tml	N
Decachlorobiphenyl	68 %	32-111	5	05/15/14	kb	05/15/14	tml	N

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	83 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv	N
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## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-08

Date Collected: 05/14/14 13:00

Matrix: Soil

Sample ID: C-7

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
<b>Surrogates:</b>									
Tetrachloro-m-xylene	72 %	40-113	1	05/15/14	kb	05/15/14	tml	N	
Decachlorobiphenyl	46 %	32-111	1	05/15/14	kb	05/15/14	tml	N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	83 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv	N	
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## ANALYTICAL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

Trace ID: T14E233-09

Date Collected: 05/14/14 13:30

Matrix: Soil

Sample ID: C-8

Date Received: 05/14/14 13:35

PARAMETERS	RESULTS UNITS	RDL	DILUTION	PREPARED	BY	ANALYZED	BY	NOTES	MCL
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### PESTICIDES/PCBS

Analysis Method: EPA 8082

Batch: T045152

Aroclor-1016	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1221	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1232	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1242	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1248	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1254	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
Aroclor-1260	<330 ug/kg dry	330	1	05/15/14	kb	05/15/14	tml		
<b>Surrogates:</b>									
Tetrachloro-m-xylene	70 %	40-113	1	05/15/14	kb	05/15/14	tml	N	
Decachlorobiphenyl	68 %	32-111	1	05/15/14	kb	05/15/14	tml	N	

### WET CHEMISTRY

Analysis Method: ASTM D2974-87

Batch: T045155

% Solids	82 % by Wt.	0.10	1	05/15/14	sv	05/15/14	sv	N	
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### QUALITY CONTROL RESULTS

Trace Project ID: T14E233

Client Project ID: 13-15111

QC Batch: T045152

QC Batch Method: EPA 3540C Soxhlet Extraction

Analysis Description: PCBs

Analysis Method: EPA 8082

Trace Project ID: T14E233

Client Project ID: 13-15111

QC Batch: T045155

QC Batch Method: % Solids

Analysis Description: Solids, Dry Weight

Analysis Method: ASTM D2974-87

### SAMPLE DUPLICATE: T045155-DUP1

Original: T14E233-09

Parameter	Units	Original Result	DUP Result	RPD	Max RPD	Notes
% Solids	% by Wt.	82.2	81.3	1	20	

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# CHAIN-OF-CUSTODY RECORD

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Page 1 of 1

TRACE ID NO.  
T14E233

Report Results To:		Client Name: <u>NCDenwell Associates</u>	
		Contact Person: <u>Jennifer Liden</u>	
		Mailing Address: <u>21355 HORTON AVE</u>	
		City, State, Zip Code: <u>Emmelle, MI 49528</u>	
Phone: <u>248-370-2800</u>		Fax: <u>248-370-2800</u>	
Email Address: <u>jennifer.liden@ncdenwell.com</u>		Cell #: <u>248-514-2850</u>	
Project Name & #: <u>13-1511</u>		Sampled by: <u>JL</u>	
Billing Address (if different):		Regulatory Requirements	
City, State, Zip Code:		Turnaround Requirements	
Attn: Phone: PO #:		Matrix Key	
TRACE NO.		MERA TMDL's	
DATE TAKEN		Drinking Water	
TIME TAKEN		NPDES	
METALS FIELD FILTERED		USACE	
CLIENT SAMPLE ID		Special	
MATRIX		ANALYSIS REQUESTED	
NUMBER OF CONTAINERS		Possible Health Hazard	
1		REMARKS	
2		Results	
3		5/15/14	
4		by 1600	
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### SAMPLE LOG IN CHECKLIST

Trace ID #: <u>T14E233</u>	Date: <u>5/14/14</u>	Package Description: <u>COOLING</u>
Client Name: <u>McNair</u>	Time: <u>16:52</u>	Logged in by: <u>JW</u>

#### Cooler Receipt

Cooler/samples delivered by:		Trace courier <input checked="" type="checkbox"/>	Name of delivery person: _____	
Hand delivered <input type="checkbox"/>		Commercial courier <input type="checkbox"/>	UPS <input type="checkbox"/>	FED EX <input type="checkbox"/>
Tracking Number: <input checked="" type="checkbox"/> Not Applicable		Tracking #: _____		
COC Seals present and intact on cooler?		No <input type="checkbox"/>	<input checked="" type="checkbox"/> Not Applicable	
Yes <input type="checkbox"/>				
Custody seals signed by Client?		No <input type="checkbox"/>	Client custody seal # (if applicable): _____	
Yes <input type="checkbox"/>				

#### Coolant and Temperature

<h5>Type of Coolant Used</h5> <p>Slurry w/ crushed, cubed, or chip ice? <input type="checkbox"/></p> <p>Multiple bags of ice around samples? <input checked="" type="checkbox"/></p> <p>Ice Packs/ Blue Ice: <input type="checkbox"/></p> <p>No Coolant Present: <input type="checkbox"/></p>	<h5>Cooler Temperature</h5> <p>Correction Factor: IR Thermometer <u>0.1</u> °C</p> <p>Digital Stick Thermometer <u>-0.1</u> °C</p> <p>Temperature Blank: <u>6.0</u> °C (Use Digital Stick Thermometer)</p> <p>Range of 3 samples: <u>9.0-10.0</u> °C (Use IR Thermometer)</p> <p>Melt Water: <u>0</u> °C ( IR or Stick Therm. - circle one)</p> <p>Ice still present upon receipt: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
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#### General

	Yes	No	NA	Comments
All bottles arrived unbroken with labels in good condition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Each sample point is in a sealed plastic bag?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Labels filled out completely?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
All bottle labels agree with Chain of Custody (COC)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sufficient sample to run tests requested?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
pH checked and samples at correct pH?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See Below*
Correct preservative added to samples?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Air bubbles absent from VOAs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
COC filled out properly and signed by client?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
COC signed in by TRACE sample custodian?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Was project manager called and samples discussed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

#### Notes:

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#### \*EMD pH Test Strips Used:

☐ pH 0-2.5      ☐ pH 11.0-13.0  
 Lot: IHC390427      Lot: HC949254  
☐ Other: \_\_\_\_\_

### CERTIFICATE OF ANALYSIS

This report shall not be reproduced, except in full, without the written consent of Trace Analytical Laboratories, Inc.



**Attachment VIII**

**Deed Restriction**



## DECLARATION OF RESTRICTIVE COVENANT

This Declaration of Restrictive Covenant ('Restrictive Covenant') was recorded with the Wayne County Register of Deeds to notify potential purchasers that a portion of the land located at 124 S. Military Street, Detroit, Michigan 48209, and legally described in the attached Exhibit 1 (the Property) has been remediated due to the presence of PCBs (the remediated area is known as 'Area 1'). Area 1 is a vacant and unused parcel adjoining a parking lot. Use of Area 1 is limited to employees and visitors and might include occasional traversing from the parking lot to the building.

The Owner submitted a Cleanup Plan for Area 1, dated September 9, 2013, to the US Environmental Protection Agency (EPA) as notification of the planned activities, in accordance with 40 CFR 761.61(a)(3). The Cleanup Plan, was based on the "low-occupancy area" use, as defined by 40 CFR 761.3 [an area where occupancy for any individual not wearing dermal and respiratory protection for a calendar year is...less than 335 hours (an average of 6.7 hours per week)]. The Cleanup Plan contemplated this deed restriction documenting the land use. By letter dated November 12, 2013, US EPA approved the Cleanup Plan.

In accordance with the approved Cleanup Plan on May 14, 2014, contaminated soil was excavated by EQ Industrial Services and disposed at Wayne Disposal, Inc. in Belleville, Michigan. Based on manifests provided by EQ Industrial Services, approximately 64.49 tons of soil were disposed. After cleanup, the resultant excavation was backfilled with sand. The Property is fenced to deter unintentional visitors to the Property, including Area 1.

Confirmatory sample test results indicate Area 1 has been remediated to levels well below the EPA approved cleanup objection of 25 ppm for "low-occupancy areas." Following soil removal, McDowell & Associates collected eight verification soil samples from the excavation. Seven of eight samples did not show detectable PCBs. One sample showed a detectable PCB concentration of 3 ppm.



The restrictions contained in this Restrictive Covenant are based upon information available at the time the Response Activity Report was implemented by PTDC. Future changes in the use of Area 1; the environmental condition of the Property; changes in the cleanup criteria developed under Section 21304a(2) of the NREPA; the discovery of other environmental conditions at the Property; or use of the Property in a manner inconsistent with the restrictions described below may result in this Restrictive Covenant not being protective of public health, safety, and welfare, and the environment.

### Definitions

For the purposes of this Restrictive Covenant, the following definition shall apply:

“Owner” means at any given time the then-current title holder of all or any portion of the Property.

“Area 1” means a former area of PCB contaminated soil located at 124 S. Military Street in Detroit, Wayne County, Michigan.

### Declaration of Land and Resource Use Restrictions

Area 1 is subject to the following restrictions:

a. Prohibited Land Uses. The Owner shall prohibit all uses of Area 1 that are not compatible with the “low-occupancy” use relied on by the Response Activity.

b. Contaminated Soil Management. The Owner shall manage all soils, media, and/or debris located on Area 1 in accordance with the applicable requirements of Part 201 Environmental Response of the Natural Resources & Environmental Protection Act (NREPA), MCL 324.20101, et seq; Part 111, Hazardous Waste Management of the NREPA, MCL 324.11101 et seq; Subtitle C of the Resource Conservation and Recovery Act, 42 USC Section 6901 *et seq.*; the administrative rules promulgated thereunder; and all other relevant state and federal laws.

### Conveyance of Property Interest

A copy of this Restrictive Covenant shall be provided to all future owners, heirs, successors, lessees, easement holders, assigns, and transferees of Area 1 by the person transferring the interest in accordance with Section 20116(3) of NREPA.

### Term of Restrictive Covenant

This Restrictive Covenant shall run with the land and is binding on the Owner; future owners; and their successors and assigns, lessees, easement holders, and any authorized agents, employees, or persons acting under their direction and control. This Restrictive Covenant shall continue in effect until 30 days after achieving the cleanup levels specified in 40 CFR 761.



IN WITNESS WHEREOF, \_\_\_\_\_ has caused this Restrictive Covenant,  
\_\_\_\_\_, to be executed on this \_\_\_\_\_.

PTDC Properties, LLC

By: \_\_\_\_\_

Name: David J. Carter

Title: Shareholder

STATE OF MI

COUNTY OF Wayne

BARBARA D MCSWAIN  
Notary Public - Michigan  
Wayne County  
My Commission Expires May 16, 2017  
Acting in the County of Wayne

Barbara D McSwain  
Notary Public Signature

Notary Public, State of Michigan

County of Wayne

My commission expires: 5-16-2017

Acting in the County of Wayne

Drafted by: \_\_\_\_\_

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_



**EXHIBIT 1**  
**LEGAL DESCRIPTION OF PROPERTY**  
**AND AREA 1**



## General Property Information

City of Detroit

[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 16016505-6 Unit: CITY OF DETROIT

Flag: SEE ASSESSORS COMMENTS FOR CORRECT REN ZONE INFO

## Property Address

[\[collapse\]](#)124 S MILITARY  
DETROITMI48209

## Owner Information

[\[collapse\]](#)PTDC PROPERTIES LLC  
124 S MILITARY  
DETROIT, MI 48209

Unit: 01

## Taxpayer Information

[\[collapse\]](#)

SEE OWNER INFORMATION

## General Information for Tax Year 2014

[\[collapse\]](#)

<b>Property Class:</b>	301 - 301-INDUSTRIAL	<b>Assessed Value:</b>	\$59,046
<b>School District:</b>	D - DETROIT SCHOOLS	<b>Taxable Value:</b>	\$59,046
<b>State Equalized Value:</b>	\$59,046	<b>Map #</b>	16
<b>DISTRICT</b>	5	<b>Date of Last Name Chg:</b>	10/10/2012

**Date Filed:****Notes:** N/A**Census Block Group:** N/A**Historical District:** N/A

<b>Principal Residence Exemption</b>	<b>June 1st</b>	<b>Final</b>
<b>2013</b>	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2013	\$59,046	\$59,046	\$58,684
2012	\$0	\$0	\$0
2011	\$0	\$0	\$0

## Land Information

[\[collapse\]](#)

	<b>Frontage</b>	<b>Depth</b>
<b>Lot 1:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 2:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 3:</b>	0.00 Ft.	0.00 Ft.
<b>Total Frontage:</b>	0.00 Ft.	<b>Average Depth:</b> 0.00 Ft.

**Total Acreage:** 0.38**Zoning Code:****Total Estimated Land Value:** \$18,447**Land Improvements:** \$10,005**Renaissance Zone:** 239 (Complies With Zone)**Mortgage Code:****Lot Dimensions/Comments:** N/A



Renaissance Zone Expiration  
Date:

### Legal Information for 16016505-6

[collapse]

W MILITARY S 70 FT 128 AND 127, N 68 FT E 315 FT AND S 30 FT W 138.50 FT 72 ALSO 1/2 OF VACATED ALLEY DANIEL SCOTTEN SUB L9 P19 PLATS, W C R 16/8 (16,848 SQ FT)

### Land Divison Act Information

[collapse]

Date of Last Split/Combine:	10/10/2012	Number of Splits Left:	0
Date Form Filed:		Unallocated Div.s of Parent:	0
Date Created:	10/10/2012	Unallocated Div.s Transferred:	0
Acreage of Parent:	0.00	Rights Were Transferred?	NO
Split Number:	0	Courtesy Split?	NO
		Parent Parcel:	

### Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
11/14/2011	\$1,150,000.00	PTA	NEWMAN, PHYLLIS	PTDC PROPERTIES, LLC	MULTIPLE ECF	

#### Note

MULTIPLE SALE-SEE COMMENTS

### Building Information

2 building(s) found.

Description	Floor Area	Yr Built
Commercial/Industrial Building 1 - Office Building	1197 Sq. Ft.	1978

#### General Information

Floor Area:	1197 Sq. Ft.	Estimated TCV:	N/A
Occupancy:	Office Building	Class:	C
Stories Above Ground:	1	Average Story Height:	13
Basement Wall Height:	N/A	Year Remodeled:	0
Year Built:	1978	Heat:	Complete H.V.A.C
Percent Complete:	100%	Functional Percent Good:	100%
Physical Percent Good:	46%	Effective Age:	34 yrs.
Economic Percent Good:	100%		

Commercial/Industrial Building 2 - Office Building	1503 Sq. Ft.	1988
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#### General Information

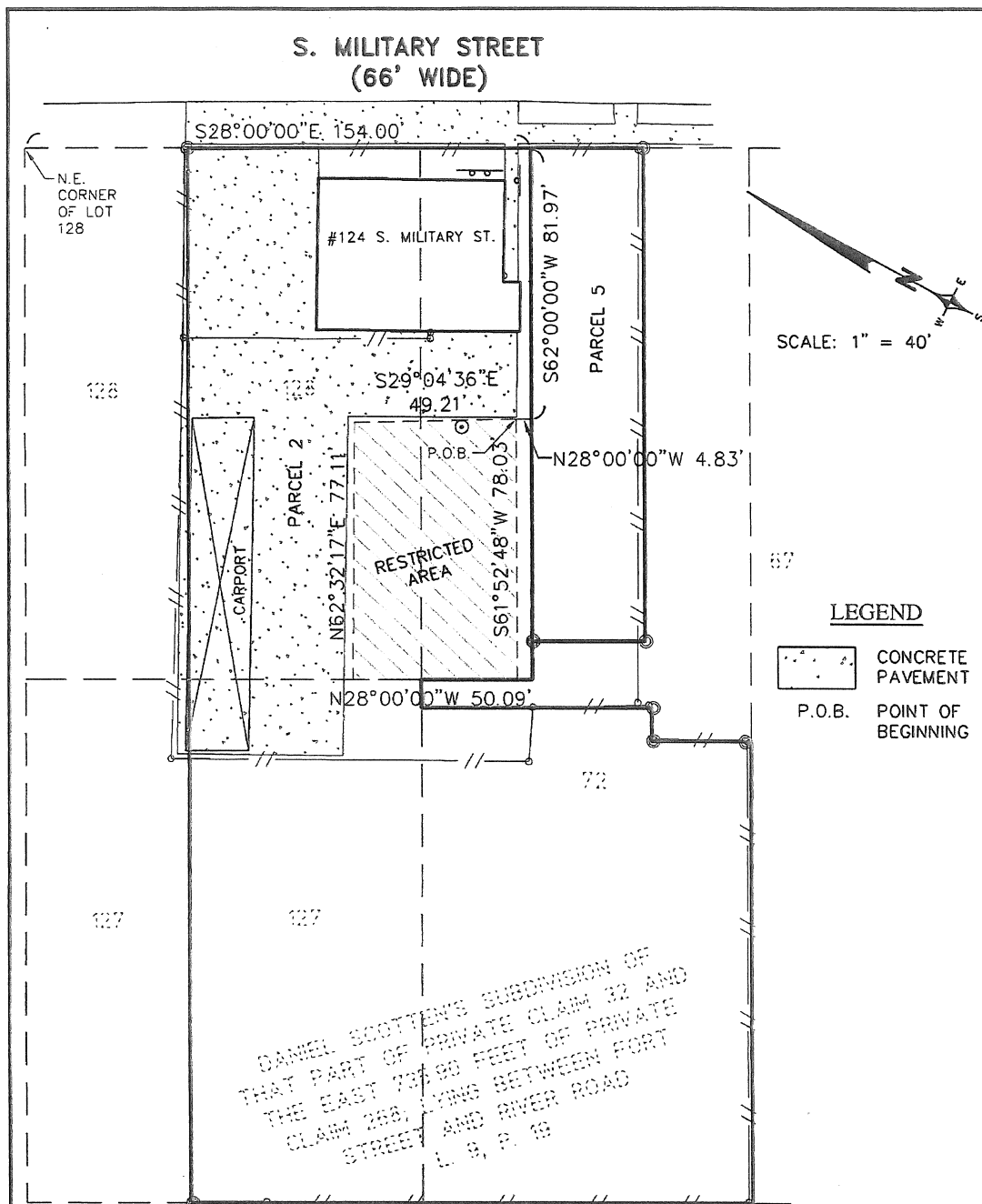
Floor Area:	1503 Sq. Ft.	Estimated TCV:	N/A
Occupancy:	Office Building	Class:	C
Stories Above Ground:	1	Average Story Height:	13
Basement Wall Height:	N/A	Year Remodeled:	0
Year Built:	1988	Heat:	Package Heating & Cooling
Percent Complete:	100%	Functional Percent Good:	100%
Physical Percent Good:	62%	Effective Age:	24 yrs.
Economic Percent Good:	100%		



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### LEGAL DESCRIPTION OF A RESTRICTED AREA

AN AREA LOCATED IN THE CITY OF DETROIT, WAYNE COUNTY MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE N.E. CORNER OF LOT 128 OF DANIEL SCOTTEN'S SUBDIVISION OF THAT PART OF PRIVATE CLAIM 32 AND EAST 735.90 FEET OF PRIVATE CLAIM 268; LYING BETWEEN FORT STREET AND RIVER ROAD AS RECORDED IN LIBER 9 OF PLATS, PAGE 19, WAYNE COUNTY RECORDS; THENCE S. 28°00'00" E. 154.00 FEET ALONG THE WEST RIGHT OF WAY LINE OF SOUTH MILITARY STREET (66 FEET WIDE); THENCE S. 62°00'00" W. 81.97 FEET; THENCE N. 28°00'00" W. 4.83 FEET TO THE POINT OF BEGINNING OF SAID RESTRICTED AREA; THENCE S. 61°52'48" W. 78.03 FEET; THENCE N. 28°00'00" W. 50.09 FEET; THENCE N. 62°32'17" E. 77.11 FEET; THENCE S. 29°04'36" E. 49.21 FEET TO THE POINT OF BEGINNING, CONTAINING 3,851 SQUARE FEET.

REVISIONS			RESTRICTED AREA PEERLESS METAL		DATE 12-17-14	SCALE HOR: 1" = 40'		
ITEM	DATE	BY				FIELD BOOK NO. 537		
			DETROIT	MICHIGAN	DESIGNED BY RH	JOB NO. 14159	SHEET NO. 1/1	
			<b>ZEIMET WOZNAK</b> & ASSOCIATES Civil Engineers & Land Surveyors 55800 GRAND RIVER AVE, SUITE 100 NEW HUDSON, MICHIGAN 48165 P: (248) 437-5099 F: (248) 437-5222 www.zeimetwozniak.com		DRAWN BY PTG	SHEET NO. 1/1	© COPYRIGHT 2014	

